

# Minutes

**Agricultural & Natural Resources Advisory Committee**  
**Thursday, January 9, 2014, at 9:00 am**  
**Charlotte County Administrative Center**  
**18500 Murdock Circle, Room #B-207**  
**Port Charlotte, FL 33948-1094**

## **MEMBERS PRESENT**

Andy Dodd, Chairman  
Orrin Webb, Secretary  
Steve Smith  
Matthew Sullivan, Jr.

## **MEMBERS EXCUSED**

Chris Hencher  
Dan Ryals  
Lindsey Harrington  
Wes Brumback, Vice Chairman

## **MEMBERS ABSENT**

## **GUEST**

Barbara Carlton  
Ron Hamel  
Dave Brumbaugh, SWFWMD

## **STAFF**

Matt Trepal, Staff Liaison  
Joanne Vernon, Assistant County Engineer  
Ralph Mitchell, Staff Liaison, Extension Service

---

## **CALL TO ORDER/ROLL CALL/DETERMINATION OF QUORUM**

The **January 9, 2014**, meeting of the **Agricultural and Natural Resources Advisory Committee** was called to order at 9:07 a.m. by **Chairman Dodd** who noted that there was not a quorum present.

## **ADDITIONS/DELETIONS TO AGENDA**

None.

## **APPROVAL OF MINUTES**

**Chairman Dodd** the minutes could not be approved due to the lack of a quorum; **Mr. Sullivan** noted that Mr. Hencher was ill.

## **COMMISSIONER COMMENTS**

**Commissioner Duffy** announced the appointment of Assistant County Attorney Ty Harris as the new Director of Growth Management. She noted that the LDR revision was under way, and that to be done correctly would require changes to the Comp Plan which are proposed to be done within the next couple of months.

## **NEW BUSINESS**

**Chair Dodd** noted there had been an excavation roundtable yesterday, and staff discussed some of the items raised in ANRAC's letter to the Commission. One example concerned work under 15 acres and less than 15 feet deep which doesn't impact wetlands should be exempt activity (by Florida statute, this is an exempt activity.) **Chair Dodd** said that consensus had been built between the folks representing the environmental concerns and the rest of the attendees; the agreement was to redraft the ordinance with all the items that everyone agreed upon included, and on the items where agreement had not been arrived at, the Commission would have the 'deciding vote.'

He noted that one thing in particular in this category which ANRAC has been adamant about was that exempt activities should not have to notice their activity to the County. In particular, why should a farmer have to notify the County every time he needed to dig a cow pond, since this would be within the exempt standards. **Chair Dodd** pointed out that such notice is not going to be given in any case, and it shouldn't be required. He gave examples of the requirements of SWFWMD in the event of exempt activities needing to be done, such as dewatering impacts on wetlands, including fees, noting that this type of information would also be provided by excavators to the County in the situation where a pit is being dug. In the absence of quorum, **Chair Dodd** said that he will just assert the items as presented in the letter remain the position of the Committee. **Mr. Brumbaugh** commented that the District also addresses those wetland issues, as part of the water use permit information managed by SWFWMD, noting that this activity was covered under their requirements.

**Chair Dodd** gave more details about what the group asked for (no operating hours restrictions, among others.) There was some disagreement, he noted, with the environmental contingent about whether and when you can take dirt off-site; this had been eliminated in the last draft based on Commission direction, which he felt was a misinterpretation of the Commission's intent -- the proper reading was that any time it's an **exempt** AG activity, the only way to maintain the exemption is to not take dirt off-site. This will need to go back before the Board for final determination, since the AG group disagrees with the prior determination of the Board. **Chair Dodd** stated that there is no support among ANRAC for AG people doing a pond when it is actually a borrow pit; in response to a comment from Commissioner Duffy, he clarified that SWFWMD is silent on the disposition of the dirt. If the intention is to sell the dirt, in that case, it needs to go thru the County's process and be treated like any commercial pit. **Mr. Brumbaugh** commented on the SWFWMD position, which really is just not to place the spoil in the 100-year floodplain. **Mr. Smith** asked to have confirmed, that the dirt could be sold, as long as operators go through the process the County has established. **Chair Dodd** had positive comments on staff's participation, especially Ms. Vernon for whom he had high praise. **Chair Dodd** thought they were down to just five issues to be sorted out. **Commissioner Duffy** suggested ANRAC need to go to each commissioner to explain their positions based on their business issues. **Chair Dodd** said he will coordinate with Ms. Vernon to do that staff has their own meetings with the Commissioners. In response to a question from Mr. Smith, **Chair Dodd** said he would provide members with the next iteration of the ordinance, whenever it was made available to him.

Some comment was made regarding the possibility of there being no quorum in March also, due to Tallahassee-based activities of interest to the Committee membership – annual Farm Days and the Cattlemen's annual get-together.

[Mr. Brumbaugh left the meeting when comment on the Excavation roundtable was over.]

**Chair Dodd** commented on his involvement in the Comp Plan rewrite which are related to LDRs, focusing on the watershed overlay district. He displayed the various maps that have delineated the area covered and discussed the language currently in force, which is essentially in place to protect the City of Punta Gorda's drinking water supply. The new map covers a much larger area than previously, in an effort to keep the gas pipeline from coming down SR 31 as a protection against "continuous transmission of hazardous products." However, he noted, the verbiage and map could conceivably be used to prevent even fuel trucks on SR 31. He noted that the current effort he is involved in is primarily to keep this from leading to new or duplicative restrictions/ regulations in this area. Chair Dodd noted that he had done a white paper that he could provide to members on the subject.

**Chair Dodd** introduced comments from Mr. Webb on the animal control issues raised in prior meetings. **Mr. Webb** described the progress to date, with regard to setting a meeting and also in getting the signage initiative going; **Commissioner Duffy** noted the Fire Chief has announced his retirement and **Mr. Webb** responded that we need to work with Animal Control and the Sheriff's Department together to improve the situation especially with regard to commercial operations which are so different from house pets. He pointed out commercial operators have vested interest in protecting their animals which are their livelihood and source of revenue. There was additional commentary, especially on how to implement the signage which has been suggested as best way to prevent misunderstandings in future, with **Chair Dodd** noting that there was "seed money" that could be made available for this effort. **Mr. Webb** predicted there would not be 100% participation, but still thought this was the best approach, based on positive results in other counties where it has been implemented. Further discussion ensued on these subjects.

**Mr. Hamel** spoke about theft in the area, which can be tied in to the participation in this program. **Mr. Webb** discussed the type of signage he sees in other counties. **Commissioner Duffy** asked him to provide a picture of the signage; **Chair Dodd** discussed other approaches which let the deputies and game wardens come on a property without contacting the property owners first. **Commissioner Duffy** suggested a meeting in March with all the stakeholders to pursue this further.

#### **CORRESPONDENCE AND COMMUNICATIONS**

An update to the membership list on the County website is required; the Recording Secretary will follow up on that.

#### **PUBLIC COMMENTS**

**Mr. Ralph Mitchell** provided an update on the activities and offerings of the Extension Group.

**Ms. Barbara Carlton** discussed upcoming activities locally and in Tallahassee; **Chair Dodd** asked about agenda items they had emphasis on and **Ms. Carlton** responded with details on current concerns including programs focused on citrus greening and other research, and the funding that will need to remain in place to support this work, specific appropriation over and above the basic budget. **Mr. Hamel** also had comments regarding this situation; further comments were given concerning the IFAS board make-up and the need to have interim director which is a central focus of their needs currently.

[Joanne Vernon joined the meeting at 9:45 a.m.]

#### **STAFF COMMENTS**

**Matt Trepal** commented on the LDR, noting that Commissioner Duffy had covered most of this already; a complete draft is nearly done, but the Code will need to await upcoming changes to the

## **ANRAC Minutes**

January 9, 2014

Page 4 of 4

---

Comprehensive Plan to be actually completed. Answering the Chair's earlier question on the 2912 AG census, **Mr. Trepal** noted the data was supposed to be made available in Feb. but has been delayed for this year with no date yet set.

### **MEMBER COMMENTS**

**Mr. Sullivan** noted that Charlotte County resident Paige Kreegel had thrown his hat in the ring for Trey Radel's Congressional seat.

### **FUTURE MEETING TOPICS**

*None.*

### **GUEST COMMENTS**

**Mr. Hamel** questioned whether we could have call-in quorums and there was some discussion. He requested we double-check the information we received from an earlier County Attorney that this was not permitted; **Commissioner Duffy** said it could be done for the Commission's Pre-Agenda meetings, but she noted that no votes were taken during those meetings.

It was noted that ANRAC has had a vacancy for a while now, and further discussion ensued on the empty seat and also on the possibility that Mr. Hencher would not be able to continue participating.

### **NEXT MEETING**

❖ *March 13, 2014 at 9:00 a.m. in Room B-207 (provisionally, depending on the timing of March events in Tallahassee.)*

### **ADJOURNMENT**

The meeting was adjourned at 9:48 a.m.

**To be approved by the Committee on:  
March 13, 2014**

**Approved by the Committee on  
March 27, 2014 and accepted by  
the Secretary:**

---